

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 48

HOUSE BILL 2026

AN ACT

AMENDING SECTION 32-2130, ARIZONA REVISED STATUTES; RELATING TO REAL ESTATE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-2130, Arizona Revised Statutes, is amended to
3 read:

4 32-2130. Renewal of licenses; education requirements; broker
5 licensee renewal as salesperson licensee

6 A. A license may be renewed in a timely manner by filing an
7 application for renewal in the manner prescribed by the commissioner, by
8 paying the renewal fee specified in this chapter and by presenting evidence
9 of attendance at a school certified by the commissioner during the preceding
10 license period of twenty-four credit hours, or a lesser number of credit
11 hours prescribed by the commissioner, of real estate oriented continuing
12 education courses prescribed and approved by the commissioner. The total
13 number of credit hours shall be accrued at a rate of twenty-four credit hours
14 during each twenty-four month period of licensure. The department shall
15 maintain a current list of approved courses. The commissioner may waive all
16 or a portion of the continuing education requirement for good cause shown.
17 The commissioner shall determine by rule the content of the twenty-four
18 renewal credit hours. The twenty-four renewal credit hours may include the
19 commissioner's current topics, including short sales. For the purposes of
20 this subsection, "short sales" means real estate transactions in which the
21 sales price is insufficient to pay the loan encumbering the property in
22 addition to the costs of sale and the seller is unable to pay the difference.

23 B. If an applicant is renewing a license within one year after it
24 expired, the applicant may apply continuing education hours completed after
25 the expiration toward the continuing education required for renewal.

26 C. Each renewal application shall contain, as applicable, the same
27 information required in an original application pursuant to section 32-2123.

28 D. Cemetery brokers and salespersons and membership camping brokers
29 and salespersons are exempt from the educational requirements of this
30 section.

31 E. Nothing in this section requires a licensee to attend department
32 produced or sponsored courses if approved courses are otherwise available.

33 F. Between the expiration date of the license and the date of renewal
34 of the license, the rights of the licensee under the license expire. While
35 the license is expired it is unlawful for a person to act or attempt or offer
36 to act in a manner included in the definition of a real estate, cemetery or
37 membership camping broker or salesperson. If the license of an employing
38 broker expires under this subsection, the licenses of persons who are
39 employed by the employing broker shall be severed from the employing broker
40 on the license expiration date of the employing broker. These persons may be
41 rehired on renewal of the employing broker's license. The department shall
42 terminate a license that has been expired for more than one year.

43 G. Except as provided in section 32-4301, no more than one year after
44 the license expiration date, the department shall renew a license without
45 requiring the applicant to submit to an examination if the applicant held a

1 license that was not canceled or suspended at the time of expiration. Except
2 as provided in section 32-4301, the license period for a license renewed
3 pursuant to this subsection commences the day after the expiration date of
4 the expired license. Except as provided in section 32-2131, subsection A,
5 paragraph 4 or 6, an applicant whose license has been terminated or revoked
6 does not qualify for license renewal.

7 H. Any employee or immediate family member of any employee of this
8 state who, pursuant to section 32-2110 or any other law, rule or requirement,
9 is prohibited from using a license issued under this chapter shall have, on
10 the request of the employee or family member, the license placed on inactive
11 status, shall have the right to renew the license and shall not be required
12 to pay further fees until the employee or family member is again eligible to
13 use the license. Renewal fees for the license shall not be required for only
14 as long as the employee or family member is prohibited from using the
15 license.

16 I. The department shall not renew the license of a person who has been
17 convicted of a felony offense and who is currently incarcerated for the
18 conviction, paroled or under community supervision and under the supervision
19 of a parole or community supervision officer or who is on probation as a
20 result of the conviction. This subsection does not limit the commissioner's
21 authority and discretion to deny the renewal for any other reason pursuant to
22 this chapter.

23 J. A REAL ESTATE BROKER LICENSEE MAY RENEW AS A REAL ESTATE
24 SALESPERSON LICENSEE WITHOUT HAVING TO MEET THE REQUIREMENTS PRESCRIBED BY
25 SECTION 32-2124, SUBSECTION B. IF A PERSON RENEWS AS A REAL ESTATE
26 SALESPERSON PURSUANT TO THIS SUBSECTION, THE PERSON SHALL PAY THE
27 SALESPERSON'S RENEWAL FEE AS PRESCRIBED IN SECTION 32-2132. IF THE PERSON
28 SUBSEQUENTLY WANTS TO OBTAIN A REAL ESTATE BROKER LICENSE, THE PERSON MUST
29 MEET THE REQUIREMENTS OF THIS CHAPTER, INCLUDING THE REQUIREMENTS PRESCRIBED
30 BY SECTION 32-2124, SUBSECTION C.

31 Sec. 2. Emergency

32 This act is an emergency measure that is necessary to preserve the
33 public peace, health or safety and is operative immediately as provided by
34 law.

APPROVED BY THE GOVERNOR MARCH 20, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 20, 2012.

Passed the House January 26, 2012

by the following vote: 48 Ayes,

7 Nays, 4 Not Voting
with emergency 1 vacant

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate March 15, 2012

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting

[Signature] with Emergency
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

14th day of March, 2012

at 2:37 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 20th day of

March

at 1:13 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 20th day of March, 2012

at 4:53 o'clock P M.

[Signature]
Secretary of State

H.B. 2026